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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/331,499	06/21/1999	HENRIK ALMS	P99.1138	1747

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EXAMINER

TRAN, CON P

ART UNIT

PAPER NUMBER

2644

DATE MAILED: 02/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/331,499

Applicant(s)

ALMS ET AL.

Examiner

Con P. Tran

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 11-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Arras et al. U.S. Patent 5,323,453 (cited by Applicants) in view of Charland U.S. Patent 5,661,776 (cited by Applicants), and further in view of Hill et al. U.S. Patent 3,978,292.

Regarding **claim 11**, Arras et al. teaches a method for the feed (see Fig. 1, 2, 3, 4, 5a, and respective portions of the specification) of a number of simultaneous users from one energy source (see col. 1, lines 31-36), comprising:

connecting one of the users to the energy source (see col. 1, lines 31-36, and col. 4, lines 54-66);

supplying an initial feed current limited to a maximum value to a user in the connection phase (see col. 5, line 55- col. 6, line 8);

measuring the feed current that is supplied to the user (see col. 6, lines 10-37);

limiting the feed current to a value (see col. 5, lines 47-54), given an error-free user line and after a waiting time (see col. 6, lines 38-53); and

successively repeating the method for users (see col. 6, lines 54-59).

However, Arras et al. reference does not explicitly disclose the method for the feed is a remote feed. Thus one of ordinary skill would have been motivated to seek a method for remote feed from one power supply in order to supply power for a number of simultaneous users taught by Arras et al.. Such method would have been any known remote feed such as one of Charland in the same field of endeavor.

Charland teaches a method for the remote feed of a number of simultaneous users (see col. 2, lines 16-24) in order to allow a diagnostic routine to be performed on the communication line at a remote location from the device (see col. 2, lines 27-29).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Arras et al. reference a method for the remote feed of a number of simultaneous users in order to work with the method taught by Charland since such combination would have allowed a diagnostic routine to be performed on the communication line at a remote location from the device as suggested by Charland in column 2, lines 27-39.

Arras et al. in view of Charland does not explicitly disclose the method in which the feed current is reduced to a standard value, and repeating the method for users that are additional users. Thus one of ordinary skill would have been motivated to seek a method in order to work with the actual method taught by the Arras et al., Charland

combination. Such method would have been any known ringing current control such as one of Hill et al. in the same field of endeavor.

Hill et al. teaches a method in which the feed (ringing supply) current is reduced to a standard value (at silent interval; Fig. 2 and col. 4, lines 5-11), and repeating the method for users that are additional users (L1-L128, Fig. 1; see col. 5, lines 25-40) in order to provides a common reset signal to all flip-flop circuits in the same group of line circuits (col. 4, lines 3-4)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Arras et al., Charland combination a method for the feed current is reduced to a standard value, and repeating the method for additional users as taught by Hill et al. since such combination would have provided a common reset signal to all flip-flop circuits in the same group of line circuits as suggested by Hill et al. in column 4, lines 3-4.

Regarding **claim 12**, Arras et al. further teaches the method according to claim 11, wherein the feed current for each user is limited to the maximum value (see col. 5, lines 47-54); and wherein a maximum, overall feed current available is not exceeded (see col. 6, lines 38-47).

Regarding **claim 13**, Hill et al. further teaches the method according to claim 11 further comprising:

disconnecting a user that continues to use the maximum value of the feed current after the expiration of the waiting time (active ring interval, Fig. 2; see col. 5, lines 25-40).

Regarding **claim 14**, Arras et al. further teaches the method according to claim 11, further comprising:

allocating the maximum value of the feed current to a user that continues to use the maximum value of the feed current after the expiration of the waiting time (see col. 5, lines 31-46), wherein a current reserve is available (see col. 2, lines 45-50).

Regarding **claim 15**, Hill et al. further teaches the method according to claim 11, further comprising: limiting the feed current of the user to the standard value after the waiting time (at silent interval; Fig. 2 and col. 4, lines 5-11).

Regarding **claim 16**, Arras et al. further teaches the method according to claim 11, further comprising:

periodically checking a faulty network termination unit of a user with the maximum value of the feed current (see col. 5, lines 47-54 and col. 12, lines 65-68).

Regarding **claim 17**, Arras et al. further teaches the method according to claim 11 (see col. 6, lines 10-37),

wherein $I_{rmax} = I_{max} + (n-1) I_{standa}$; and wherein

I_{rmax} = a maximum feed current made available overall,

I_{max} = a feed current made maximally available to an individual user,

I_{standa} = a feed current made available to a user after the connection phase, and

n = a number of the users.

Regarding **claim 18**, Arras et al. further teaches the method according to claim 17 (see col. 6, lines 10-37),

wherein $I_{rmax} = m \times I_{max} +$

$(n-m) I_{standa}$ wherein m is a number of members of a group of users and is less than n .

Response to Arguments

3. Applicant asserts on page 4:

“Charland, cited by the Examiner as Charland fails to disclose activating (i.e. supplying) ..., and disconnecting the user after a waiting time.”

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

4. Applicant's arguments with respect to claims 11-18 have been considered but are moot in view of the new grounds of rejection.

Conclusion

5. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

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(Date)

Typed or printed name of person signing this certificate:

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Certificate of Transmission

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(Date)

Typed or printed name of person signing this certificate:

Signature: _____


Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Con P. Tran, whose telephone number is (703) 305-2341. The examiner can normally be reached on M - F (8:30 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office at telephone number (703) 306-0377.

cpt CPT
February 23, 2003


FORESTER W. ISEN
SUPERVISORY PATENT EXAMINER
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